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THE CONCEPT OF 'URGENCY CLAUSE' IN LAND ACQUISITION ACT – A STUDY

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Abstract

Tracts of land acquired under Land Acquisition Act invoking 'urgency clause' remained unutilised. Declared purpose as construction of residential quarters for State Officials having novated to portions of the land being used as helipads for State dignitaries

References

- ¹Laxmi Devi Vs. State of Bihar & Others AIR 2015 SC P.2710.
- ¹See for details the Constitution 44th Amendment Act which came into force from 20-6-1979 which deleted Act 19(1)(f) and Art 31 of the Fundamental Rights. The Amendment Act also inserted Art 300A to the effect that 'No person shall be deprived of his property save by authority of law'.
- ¹State of UP Vs. Manohar (2005)2 SCC P.126.
- ¹See Note 1 Para 1.
- ¹Ibid. Para 3 and also an order of the Division Bench of High Court at Patna directing the award has been passed. The said direction of the High Court has attained finality.
- ¹AIR 1964 SC P.1217 and Para 6 of Note 1.
- ¹Union of India Vs. Shiv Raj, AIR 2014 SC P.2242.
- ¹Land Acquisition Act is referred to as LA Act throughout the study
- ¹See Note 1 Paras 12, 13 and 14.
- ¹See for detail the ratio in Taylor's case (1875) 1Ch D 426.
- ¹Sec 17(3A) introduced by Act 68 of 1984 and Note 1 Para 14.
- ¹See Note 10.
- ¹Nazir Ahmed Vs. King Emperor AIR 1936 PC P.253 (2)
- ¹Rao Shiva Bahadur Singh's case AIR 1954 SC P.322, Singhara Singh's case 1964 SC P.358 and Balu Verghese AIR 1999 SC P.1281.
- ¹Hussain Ghadially Vs. State of Gujarat, AIR 2014 SC (Supp) 1659.
- ¹See Note 10.
- ¹See Note 1 Para 20 also the case of Avinash Sharma referred to in the said para.
- ¹Satendraprasad Jain AIR 1993 SC P.2517.
- ¹See Note 1 Para 25.

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